

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 714 - A

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office*Only Impacts on Original or Engrossed
Versions are Considered Official*Prepared by: Kim To
Reviewed by: Gregory Jolivet
Date: April 14, 2021**Measure Description:**

Requires Department of Human Services to adopt rules to establish minimum requirements for an acuity-based staffing tool adopted by a facility and the frequency with which a facility must reassess the facility's staffing patterns with the acuity-based staffing tool.

Government Unit(s) Affected:

Department of Human Services (DHS)

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact:

| | 2021-23 Biennium | 2023-25 Biennium |
|----------------------------|--------------------|--------------------|
| General Fund | | |
| Personal Services | 672,918 | 769,040 |
| Services and Supplies | 151,927 | 167,007 |
| Total General Fund | 824,845 | 936,047 |
| Federal Funds | | |
| Personal Services | 672,918 | 769,040 |
| Services and Supplies | 151,879 | 166,935 |
| Total Federal Funds | 824,797 | 935,975 |
| TOTAL FUNDS | | |
| Personal Services | 1,345,836 | 1,538,080 |
| Services and Supplies | 303,806 | 333,942 |
| TOTAL FUNDS | \$1,649,642 | \$1,872,022 |
| Positions | 8 | 8 |
| FTE | 7.04 | 8.00 |

Analysis:

SB 714 A-Engrossed requires the Department of Human Services (DHS) to adopt rules to establish: (1) minimum requirements for an acuity-based staffing tool adopted by residential care facilities; and (2) the frequency with which a facility must reassess the facility's staffing patterns with the acuity-based staffing tool. The measure requires DHS to assess the staffing level of a facility at least each time the Department conducts a survey, license approval or renewal, or an investigation into a complaint. DHS is authorized to: (1) place a condition on the facility's license until the facility implements an acuity-based staffing tool and meets the minimum staffing levels; (2) place the facility on an enhanced oversight and supervision program; and (3) impose fines and penalties. DHS is required to ensure a pilot of the acuity-based staffing tool is operational and accessible to residential care providers as an online tool by January 1, 2022. Facilities with a memory care endorsement must adopt an acuity-

based staffing tool by February 1, 2022. DHS must begin assessment of staffing levels by February 1, 2022. DHS must solicit feedback from participants in the pilot of the acuity-based staffing tool. DHS must report to a committee of the Legislature by October 1, 2021 and December 15, 2021. The measure takes effect on the 91st day after the date on which the 2021 legislative session adjourns sine die.

DHS estimates the fiscal impact of this measure to be \$1,649,642 Total Funds, 8 positions, 7.04 FTE for the 2021-23 biennium; and \$1,872,022 Total Funds, 8 positions, 8.00 FTE for the 2023-25 biennium. This estimate reflects the personal services and related services and supplies for the following eight positions effective October 1, 2021 to carry out the work required by the measure: Four Client Care Surveyors, two Complaint Investigators (Compliance Specialists 2), one Operation and Policy Analyst 3, and one Compliance Specialist 3.

This measure warrants a subsequent referral to the Joint Committee on Ways and Means for budgetary action and position authority.